



## CITIZEN POLICE ADVISORY REVIEW BOARD MEETING MINUTES

Chair Hart called the regular meeting of the Citizen Police Advisory Review Board (CPARB) to order on Tuesday, August 17, 2004 at 5:38 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.

| Commission Members                 | Representing          | Present/Absent                  |
|------------------------------------|-----------------------|---------------------------------|
| Suzanne Elefante                   | Mayor                 | Present                         |
| Ida Wilber                         | Ward 1                | Present                         |
| Elizabeth Bottka-Smith, Vice Chair | Ward 2                | Present                         |
| Vicki Ann Hart, Chair              | Ward 3                | Present                         |
| Cynthia Schiesel                   | Ward 4                | Absent                          |
| Holli McGarry                      | Ward 5                | Absent                          |
| William O. Wills                   | Ward 6                | Present                         |
|                                    |                       |                                 |
| Advisory Members                   |                       |                                 |
| Charles A. Lagattuta               | CPARB                 | Absent                          |
| Susan Thornton                     | CPARB                 | Present                         |
| Jeremy A. Tor                      | CPARB                 | Present                         |
| Barry Hirsch                       | CPARB                 | Present                         |
| Ex-Officio Non-Voting Members      |                       |                                 |
| Andrea Ibáñez                      | City Manager's Office | Present                         |
| Captain Bill Washington            | TPD                   | Present (departed at 7:05 p.m.) |
| Officer Steve Beller               | TPOA                  | Present                         |

| Staff Present                             |                |
|-------------------------------------------|----------------|
| Captain Sharon Allen, TPD                 |                |
| Lieutenant Jim McShea, TPD                |                |
| Detective Allen Smith, TPD                |                |
| Sergeant Arden Devine                     |                |
| Liana Perez, Independent Police Auditor   |                |
| Lewis M. Anderson, City Attorney's Office |                |
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|                                           |                |
| Ceci Sotomayor, Recording Secretary       |                |
|                                           |                |
|                                           |                |
| Visitors                                  |                |
| Roy Warden                                | Marie Fortin   |
| Ronald Manzi                              | Britton Fortin |
| Dante Manzi                               | Scott Simonson |
| Mandy Lea Huffman                         | Brad Lang      |
| Jerry Huffman                             | Tim Clouch     |

| AGENDA ITEM                              | MOTION                                                                                                                                                             | ACTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | FOLLOW-UP RESPONSIBILITY                                           |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| 1. Call to Order / Roll Call:<br>5:38 PM |                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                    |
| 2. Approval of Notes of 07/20/2004.      | MOTION by Ms. Elefante, second by Mr. Wills to approve the notes of July 20, 2004 with corrections. Voice vote passed 5 to 0. Ms. Schiesel and Ms. McGarry absent. | <ul style="list-style-type: none"> <li>• <i>Correction</i> to Item 7B, third bullet, last sentence should read: "<del>Lt. McShea</del> <i>Assistant Chief Miller</i> indicated that they are waiting for the Crime Prevention Unit to be reconstituted, probably in the January or February timeframe."</li> <li>• Ms. Bottka-Smith, at the request of Ms. Hart, re-did the meeting notes in a more readable format. Although she submitted them for inclusion in everyone's packet, they were not included. Ms. Sotomayer informed the Board that the new format was being reviewed by the City Clerk's office and the Board would be advised of their decision.</li> </ul>                                                                                                                                                                                                                                                 |                                                                    |
| 3. Call to the Audience                  |                                                                                                                                                                    | <ul style="list-style-type: none"> <li>• Ronald Manzi was glad that 71 new officers will be hired. He also informed the Board he has been appointed as a precinct committee member for the Democratic Party of Arizona and will petition for election on the November Ballot. His focus will be encouraging the Federal Government to assist State of Arizona in border issues and drug smuggling.</li> <li>• Mandy Lea Huffman reported on her complaint against the Tucson Police Department. She explained the circumstances and handed out a synopsis of the incidents including harassment, intimidation, stalking, property damage and threat of bodily harm to her and her family. She believes a TPD officer is one of the responsible parties for these incidents. She has filed two complaints with Internal Affairs and is upset that she did not receive a reply back from TPD on the last complaint.</li> </ul> | This will be discussed as an agenda item at the September meeting. |

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|                                                                     |  | <ul style="list-style-type: none"> <li>• Brad Lang, brother of Mandy Lea Huffman, spoke of his concerns with Internal Affairs's process. He did not understand why this incident and prior incidents that were reported to Internal Affairs were not found in the file of the alleged officer. He stated that his sister filed for a restraining order against the officer and questioned what TPD's procedures were when officers have a restraining order against them.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                 |
| 4. Review citizen complaint, Marie Fortin Regarding: Britton Fortin |  | <ul style="list-style-type: none"> <li>• Ms. Fortin met with Internal Affairs and was unhappy with the outcome of the interview. She stated that the detective was defensive and did not directly answer her questions.</li> <li>• Lt. McShea distributed a memorandum from the police department in response to the complaint. He also invited Sergeant Devine to speak to the Board as an expert on and trainer of the Pepper Ball System.</li> <li>• Sergeant Devine explained the SA 200 Pepper Ball System and its history. He explained the required training and the appropriate use and deployment of pepper balls. He explained that this system is used as an alternative to flex batons and impact devices as well as an additional tool that can be deployed with their mobile field force. He describes the system as a non-lethal system. Currently, there are 14 officers that carry the Pepper Ball System. He brought a pepper ball gun and rounds for the Board to view as part of his presentation.</li> <li>• Captain Washington asked Sgt. Devine if the application used on Britton Fortin was appropriate. Sgt Devine replied that, in his opinion, the least amount of force was used and the application was appropriate.</li> <li>• Ms. Elefante asked if the officers were training on this system the evening it was deployed on Mr. Fortin. Sgt. Devine explained that officers who carry this system</li> </ul> | This item will be placed on next month's agenda to allow the board to review the police report. |

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|                                                                                                                                   |  | <p>are fully qualified and certified. Training is not done in the field.</p> <ul style="list-style-type: none"> <li>Ms. Wilber inquired about the frequency of use of this system in a home invasion. Sgt. Devine answered that this system could be used, but depends on the type of call and availability of the system.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                      |
| <p>5. New CPARB report forms: Revision and Procedure.<br/>(This item was taken out of order, after Item 3 and before Item 4.)</p> |  | <p>Ms. Bottka-Smith said the verbiage on the complaint form and its procedures appear to be outdated and need to be revised. Chair Hart and Ms. Bottka-Smith suggested that a subcommittee be formed to review, revise and update the forms and procedures. It was agreed that Ms. Bottka-Smith will act as chair for the subcommittee and Ms. Wilber, Mr. Tor, Ms. Perez and Officer Beller will also serve on the subcommittee.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>The subcommittee will meet and report at next month's meeting</p>                                                                                                                                                                                                                                                                 |
| <p>6. Tucson Police Department<br/>A. TPD Updates</p> <p>B. Office of Internal Affairs</p>                                        |  | <p>A. Captain Washington read a portion of a letter addressed to the department from the National Association of Uniform Manufacturers and Distributors. The letter announced that the Tucson Police Department had won an outstanding achievement award in the category of cities with over 200 officers in the association's "2004 Best Dressed Law Enforcement Competition." TPD will be featured in the <i>Law and Order Magazine</i>.</p> <ul style="list-style-type: none"> <li>Captain Washington also announced that TPD is currently in the reaccreditation process with C.A.L.E.A., and advised that TPD was doing very well and expects to be reaccredited.</li> <li>Captain Allen gave a follow up on the Arizona Psychological Association Study and Award. She announced that TPD did very well and came in a close second.</li> </ul> <p>B. Lt. McShea stated that direct reporting into the AIMS system has begun. Commanders and Supervisors are filing reports into the</p> | <p>A. Ms. Bottka-Smith requested future topics for <i>TPD updates</i>:</p> <ul style="list-style-type: none"> <li>- Information on mental health crisis intervention courses and officer feedback</li> <li>- Status of the disciplinary committee</li> <li>- Update on racial profiling and biased-based policing efforts</li> </ul> |

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|                                       |  | <p>database and getting familiar with the process. The system is working well and Lt. McShea expects the system to be expanded to increase the limits of various data.</p> <ul style="list-style-type: none"> <li>• Ms. Bottka-Smith asked if data on complaints show statistics on demographics such as gender, age and race. Captain Washington answered that this information is currently collected on complaints, and in the future the system will be able to select and define any type of inquiries including demographics.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                  |
| 7. Comments to Mayor and City Council |  | <ul style="list-style-type: none"> <li>• Captain Allen updated the information on two inquiries.</li> <li>• <i>Update</i> Inquiry # 18710 – 18437, the constituent was contacted. She was advised that Mike Duffy is employed by the Pima County Sheriff's Dept and not TPD. The original concern about unleashed dogs was forwarded to Captain Johnson for her review.</li> <li>• <i>Update</i> Inquiry # 18824 – 18551, the constituent was contacted.</li> <li>• On Inquiry #18954, Noise Disturbance; There was a question on what part of town the complaint originated from. Captain Allen commented there was no way to tell on this inquiry. Ms Bottka-Smith felt that this incident was a situation to be investigated and not just an “<i>opinion to be noted</i>” as stated on the form.</li> <li>• On Inquiry #18749 – 18476, Handgun Laws; there was a question if the City of Tucson generates revenues from sale of guns that are seized in crimes. Captain Allen responded and was not aware if this subject has been discussed.</li> <li>• On Inquiry #18944 – 18680, there was a question if the substations put up the “Wanted Persons Posters”. Captain Allen said that all substations post “Wanted Persons Posters” and the information could also be found on TPD'S web site.</li> </ul> | <p>Captain Allen will look into Inquiry #18954 and report back to the board.</p> |



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|                                        |  | <p>A) 04-0208, By consensus, the Board agreed that the investigation was fair and thorough and has no concerns.</p> <p>B) 04-0069, By consensus, the Board agreed that the investigation was fair and thorough and has no concerns.</p> <p>C) 04-0204, By consensus, the Board agreed that the investigation was fair and thorough. However, CPARB encourages Sgt. DeConcini and other report writers to stick to the facts and not speculate as to someone's motive. CPARB also feels that under the circumstance, (the complainant's son committed suicide) the letter from TPD could have been more personal and included an acknowledgement of the family's loss.</p>                                                                                                                                                                                 |  |
| 11. CPARB Customer Satisfaction Survey |  | <ul style="list-style-type: none"> <li>• Ms. Bottka-Smith suggested that in a couple of months all the surveys that have been received be included in the monthly packet for a more thorough discussion.</li> <li>• Lt. McShea offered to insert a place for the file and/or case number, which would give the recipient the ability to voluntarily include this information and to request further review of the case.</li> <li>• Mr. Hirsh noticed that the recipients bring up poor behavior by officers; such as rudeness and improper language. Lt. McShea commented that the department addresses customer service issues and recently had that discussion with the Chief. This issue is currently being addressed.</li> <li>• Ms. Thornton suggested there should be more lines on the survey for recipients to express their concerns.</li> </ul> |  |

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| 12. Report on Web Site and Bios           |                                                                                                                              | Ms. Bottka-Smith thanked everyone for submitting their bios. She reported that Assistant Chief Miller volunteered the use of TPD's web master to make the monthly updates to the web site once it's up and running. Ms. Bottka-Smith would like to see the web site online by October. |  |
| 13. Future Meetings and Agenda Items:     |                                                                                                                              | <ul style="list-style-type: none"> <li>Chair Hart stated that the October meeting will be held at the Midtown Police Substation for a tour of the station.</li> </ul>                                                                                                                  |  |
| 14. Report from the Chair / Announcements |                                                                                                                              | <ul style="list-style-type: none"> <li>Chair Hart and Ms. Perez attended the C.A.L.E.A. Public Information meeting.</li> <li>Mr. Hirsh congratulated Lt. McShea for receiving a Medal of Merit at the most recent TPD Awards Ceremony.</li> </ul>                                      |  |
| 15. Adjournment: - Time: 7:55 p.m.        | MOTION by Ms. Elefante, second by Ms. Bottka Smith to adjourn. Voice vote passed 5 to 0. Ms. Schiesel and Ms. McGarry absent |                                                                                                                                                                                                                                                                                        |  |

Pursuant to Mayor and Council direction (Regular Session, September 15, 1975) the Committee's minutes are transcribed in a summary style format. Expanded versions of certain specific items, as determined by the Chairperson of the Committee, will be provided upon request. These summary minutes comply with the requirements of the State's Open Public Meeting Law.

Verbatim Tape Record on file in City Clerk's Office Available upon Request